

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
**3:07-CV-351-GCM**

|                               |   |              |
|-------------------------------|---|--------------|
| LOVELL FOGLE FLOYD            | ) |              |
|                               | ) |              |
| Plaintiff,                    | ) | <b>ORDER</b> |
|                               | ) |              |
| v.                            | ) |              |
|                               | ) |              |
| MONUMENTAL LIFE INSURANCE,    | ) |              |
| and MINNESOTA LIFE INSURANCE, | ) |              |
| Defendants.                   | ) |              |
|                               | ) |              |

An initial pre-trial conference was held on June 4, 2008. Within 30 days of the signing of this Order, the parties are directed to report to the Court the identity of the agreed upon mediator. If parties cannot agree upon a mediator, they are to advise the Court, and the Court will appoint one.

Mediator fees are to be paid 50% each by the two defendant insurance companies. The mediator is not to charge the plaintiff in this matter. There will be no exchange of initial discovery until mediation has been completed and the mediator reports back to the Court.

Signed: June 5, 2008



Graham C. Mullen  
United States District Judge

